

TOWN COUNCIL MINUTES



Gate City Town Council Minutes

July 9, 2019

156 E Jackson Street

6:30 PM

I. COUNCIL MEETING CALLED TO ORDER AT 6:36 P.M. BY: Mayor - Frances Perry

II. ROLL CALL – Acting Town Clerk – Lydia Lane

	PRESENT:	ABSENT:
Mayor, Frances Perry	X	
Vice Mayor, Robin Richards	X	
Council Member, Allan “Cotton” Roberts	X	
Council Member, Roger Cassell	X	
Council Member, Wallace W. Ross, Jr.	X	
Council Member, Ron Kindle	X	
Town Manager, Greg Jones	X	
Town Attorney, Michele Brooks	X	

Others present: Jason Snapp; Mattern & Craig, Rebecca Crockett; LENOWISCO, Debbie Kindle, Chief Terry Sivert, Bob Richards, Jessica Keith; Commonwealth Attorney’s Office Manager, Andrew Johnson; Commonwealth Attorney

III. INVOCATION- Bob Richards

IV. PLEDGE OF ALLEGIANCE- Chief Terry Sivert

V. APPROVAL OF AGENDA

Motion made to approve the agenda.

Motion by: Allan “Cotton” Roberts

2nd by: Ron Kindle

VOTE: Aye, 5
Nay,
Absent,
Abstain

Motion Carried.

VI. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS AND INTRODUCTION OF GUESTS. - NONE

VII. APPROVAL OF MINUTES

- **Approval of June 11, 2019 Town Council Minutes**

Motion made to approve minutes as presented.

Motion by: Allan “Cotton” Roberts

2nd by: Robin Richards

VOTE: Aye:5
Nay:
Absent:
Abstain:

Motion Carried.

- **Approval of May 14, 2019, Town Council Public Hearing Minutes
Motion made to approve Public Hearing Minutes as presented.**

Motion by: Allan “Cotton” Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

Motion made to Rescind Vote due to lack of specifications on the subject of the Public Hearing.

Motion by: Allan “Cotton” Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

TAKE NO ACTION

Council Member Wallace W. Ross, Jr. stated that there was a statement that had untrue portions in it that got approved when the May 14, 2019 Council Minutes were approved at the last meeting. Council Member Ross stated that the minutes read “Council Member Wallace W. Ross, Jr. stated that Vice-Mayor Robin Richards traveled to Roanoke without approval,” however, this was the discussion concerning Richmond not Roanoke and should be revised. Mayor Frances Perry stated that it was now a mute subject since the minutes have already been approved. Council Member Ross asked if any changes could be made? Town Attorney Michele Brooks stated that Council Member Ross would need a second and a discussion in order to make a motion to change the minutes, however, not everyone has those minutes in front of them. Town Attorney Michele Brooks stated that the proper thing to do would be to have the Acting Town Clerk look at the minutes and bring them before Council before a vote is taken to change the minutes.

- **Approval of May 14, 2019, Town Council Public Hearing Minutes
Motion made to approve Public Hearing Minutes as presented.**

TAKE NO ACTION

VIII. APPROVAL OF PAYMENTS

Motion made for approval for payment of bills for June 2019 as presented.

Motion by: Ron Kindle

2nd by: Wallace W. Ross, Jr.

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

IX. PUBLIC COMMENT (Will be limited to 3 minutes per speaker.)

Bob Richards- Mr. Richards stated that he opposes the proposal for a budget amendment by the Commonwealth Attorney. Mr. Richards stated that he believes the Commonwealth Attorney wants to charge the Town for prosecuting their misdemeanor cases. Mr. Richards stated that if this money is going

to the jail, town citizens are already paying for the jail through county taxes, or if these funds are going to the Commonwealth Attorney's office, his office is paid for by the state and town citizens who pay state taxes. Mr. Richards stated that if the Commonwealth Attorney does not want to prosecute the Town's misdemeanor cases it is within his legal rights to not do so, however Mr. Richards does not believe it is fair to charge the Town to prosecute these cases. Mr. Richards requested that the Town Council not approve the proposal for a budget amendment.

Commonwealth Attorney, Andrew Johnson- Commonwealth Attorney Johnson stated that the money that he is proposing that the Town pay towards the Commonwealth Attorney's office for prosecuting misdemeanors will be generated by amending the Town code. Commonwealth Attorney Johnson stated that this system would keep the money here in Town rather than it being sent from the Clerk's office to Richmond. Mr. Johnson stated that prosecuting these cases under Town Ordinance rather than State Code would keep the money here in Town, the fee for his office would be due to the fact that he is not required to prosecute misdemeanors under the code. Commonwealth Attorney Johnson stated that he plans to collect the fines civilly rather than criminally. Bob Richards asked who will pay for the civil collection? Mr. Johnson stated that the Commonwealth Attorney's office will pay for the collection costs. Mr. Johnson stated that he would be willing to allow the Town to attempt a trial period without having to pay an upfront cost if they would be willing to have an agreement at the end of the trial period. Council Member Wallace W. Ross, Jr. asked if the county would be involved and be able to take some of the money? Mr. Johnson stated that the county could not do this because this proposal is strictly between the Commonwealth Attorney's office and the Town of Gate City, and he had previously mentioned giving a portion to the county only to create a dialogue between the Town and the county but it is not necessary. Council Member Roger Cassell stated that Town Attorney Michele Brooks could prosecute the misdemeanor cases instead of the Commonwealth Attorney's office. Mr. Johnson stated that he has no problem with the cases being prosecuted by the Town Attorney.

Bob Richards asked what the projections of the Commonwealth Attorney's office are based on? Mr. Johnson stated that the projections are based on the dockets over a two-month period. Mr. Richards asked if Mr. Johnson had the actual statistics of the funds collected from those cases? Mr. Johnson stated that he does not have that data because those fines are collected at the state and not here in the Commonwealth Attorney's office. Mr. Johnson stated that these misdemeanor cases would be more closely monitored and dealt with on a more frequent basis in order to bring these individuals in to collect fines rather than having to rely on notification from the Clerk's office. Mr. Johnson stated that since he is a licensed attorney in the state of Tennessee, he would be able to cross the jurisdiction line and collect fines from individuals living in Tennessee as long as he is charged to do so under Town Code.

Council Member Wallace W. Ross, Jr. asked if Mr. Johnson is asking for \$120,000? Mr. Johnson stated that he is asking for \$48,000 to \$60,000 for the Commonwealth Attorney's office and a maximum request of \$120,000. Mayor Frances Perry asked if Mr. Johnson is asking for money upfront? Mr. Johnson stated that he is asking for a monthly fee after he begins prosecuting the Town's misdemeanor cases. Mayor Frances Perry asked if this fee would come from the fines that are collected for the Town? Mr. Johnson stated that it would be up to the Town to determine where the payment would come from and that the Town would most likely have to create an additional fund for the fines generated either way. Vice-Mayor Robin Richards asked if arrests slowdown will the payment to the Commonwealth Attorney's office be proportionate to the number of cases prosecuted? Mr. Johnson stated that the Town would still be charged the set monthly fee.

Mr. Richards asked if Mr. Johnson is or is not asking for \$5,000 a month as a contribution to the jail? Mr. Johnson stated that he asked for this \$5,000 as part of the work program that he plans to implement within the county. Mr. Johnson stated that this contribution would help to pay for the individuals in the work program to complete necessary tasks within the Town. Mr. Johnson stated that this contribution and the work program, however, are only suggested and are not mandatory for the Town to participate in. Mr. Richards stated that he believes this contribution would be unfair since citizens within the Town already

pay county taxes to help maintain the jail and the services that it provides. Mr. Johnson stated that this situation should be viewed through the viewpoint of a local government rather than the view of a taxpayer.

Mayor Perry closed the public comment session at 7:18 P.M. and opened the consent agenda session.

X. COMMUNICATIONS - NONE

XI. REPORTS (All reports given will be included with your packet. Any questions about the reports will need to be discussed with the department head PRIOR to the meeting.)

A. Engineer's Status Report – Jason Snapp gave the Engineer's Status Report

DEQ Sewer I&I Rehab Job: We have received VDOT and DEQ approval to advertise. All signed Easements have been delivered to the Town for recording. Dinkins Consulting completed the Mussel Survey on Monday, July 1st and found one live mussel. They will submit the official report to M&C in the next two weeks. This report will then be submitted to USACE for approval (which could take up to 6 months). The project schedule will now tentatively be to advertise the project for construction in late winter/early spring 2020 and begin construction in early summer 2020.

Water Treatment Plant Upgrades: The roofing, water meters, SCADA, clear well baffles, and backwash control systems have all been installed. The doors included in the project are still under the review phase by VDH concerning AIS Certification. Change Order #4 which involves utilizing the existing door locksets has been approved by VDH. Change Order #3 which involves the installation of gutters and downspouts on the raw water building has also been approved by VDH. We have identified an alternate to the existing flow controls at the water plant and have submitted and received approval of a change order to complete this work. The actuators for this portion of the work have been delayed and are scheduled to be delivered the first week of July, the work should then take approximately one week (we are waiting on an update on this portion of the work). Substantial Completion was scheduled for Jan. 11th. This date was not met by the contractor and they have submitted a time extension request. Any damages will be discussed upon the conclusion of the project.

Asset Management Plan: M&C to submit a preventative maintenance and operational plan for the Town to extend the life and performance on their assets to VDH. The plan will also include an inventory of all the Town's assets associated with its waterworks system. M&C will finalize the plan as the WTP Project gets completed in the next couple of months.

H/C Ramp HSIP Project: All environmental agencies have responded, and the appropriate paperwork has been submitted, VDOT has now cleared the environmental document. VDOT required revisions have been made and plans and specification have been resubmitted. We are now waiting for VDOT approval to advertise, once we receive approval to advertise the Town will be required to advertise for a minimum of 30 days. Then the bidding and negotiation phase will begin before awarding the contract.

B. Manager's Report – Town Manager Greg Jones gave the Manager's Report.

Capital Projects

Water Treatment Plant

Town Manager Greg Jones stated that there was 53% water loss last month. Town Manager Greg Jones stated that he has requested the monthly operations report from the water plant in order to look for day by day correlations and has spoken with the public works director who does not think there is a leak because

some days it is on and some days it is not. Council Member Allan “Cotton” Roberts asked if the water tanks were overflowing? Town Manager Greg Jones stated that they were not overflowing that amount of water. Vice-Mayor Robin Richards asked if this issue could have been discovered any faster? Town Manager Greg Jones stated that it could not have because it had happened only within the last month.

- **Water Treatment Plant Upgrade Project/WSL 21-17** - Roof Replacement project, steel doors replacement, backwash control system, chlorine room scales, generator, telemetry system and Clearwell baffling system will be developed into one project. The Roofing project, Backwash Control System, and the Telemetry system with grounding treatment is complete. Commercial Water meters replacement has been completed and Clearwell baffles have been installed. The Virginia Department of Health has approved Change Orders for using existing door locksets on the new doors and installation of gutters and downspouts on the raw water building. Substantial completion deadline was not met on January 11th, 2019. Mattem & Craig has received a time extension request.

Town

- **Highway Safety Improvement Project (HSIP)**

- **Ramp/Safety Rail West Jackson Street**

- HSIP grant application for the sidewalk replacement project on Manville Road was submitted on November 1st, 2017. Environmental Review has been completed and has been approved. We are currently awaiting VDOT to approve the final plans. Once the final plans are approved, we will be ready to bid.

- **Manville Sidewalk Project**

- VDOT has awarded \$402,000.00 for this project. This project will begin July 2021.

- **Gate City High School Sidewalk Project** (Shoemaker, Beech, Bishop, and Jones Streets) HSIP Grant Application has been submitted. The project total including Engineering Fees is \$578,475.00. If awarded, the project will be included in VDOT’s six year plan with the expectation that funding will occur in 2024.

- **Gate City Theater & Public Facilities**

- Planning Grant for the Gate City Theater, Town Hall, and proposed Community Center have been submitted to Rural Development (USDA)- (Community Facilities Technical Assistance and Training/TAT Grant). The TAT Grant is a planning grant that will focus on engineering and environmental plans to make the best use of our public facilities. The total funding request is \$50,500 from Rural Development. Our proposed budget will include: \$20,000 Preliminary Architectural Report (PAR)-TAT Grant \$5,500 Site assessment and environmental review-TAT Grant \$25,000 Marketing Analysis-Gate City Theater (match)-ARC Grant \$50,500 Total The TAT grant has been awarded.

The ARC grant was awarded on August 15, 2018. Lenowisco Planning Authority has hired The Lane Group to complete the architectural report and marketing analysis. Scope of work has been completed.

Spectrum Design met with Mayor Perry, Members of Gate City Frontier, Inc. Board of Directors, Planning Commission, and the Economic Development Committee on May 9th, 2019. Input was received on the final design.

The completed marketing plan was reviewed by members of the Planning Commission, Economic Development Committee, and Gate City Frontier, Inc. on June 3rd, 2019.

The ARC grant funding expired on June 30th, 2019. All material and reporting has been submitted to ARC to close out this project.

• Department of Housing and Community Development (DHCD): Park Street Housing Rehabilitation Project.

DHCD has awarded \$522,200 for the Park Street Housing Rehabilitation Project. The funds will be used to rehabilitate seven residential homes, reconstruct two residential homes, and demolition of two vacant residential structures on Park Street. Our budget is as follows: \$522,200-DHCD

\$12,000-Town (In-Kind)

\$534,200-Total

The Management Team, LENOWISCO Planning Authority, and Anna Meade, Housing Specialist met with DHCD on March 28th, 2019 to discuss pre-contract activities. The following pre-contract activities have been completed:

- * Minority-Owned and Female-Owned Business Notice
- * Department of Housing and Urban Development Handicapped Regulations * Local Business and Employment Notice
- * Non-Discrimination Policy
- * Residential Anti-Displacement and Relocation Assistance Plan Certification * Section 3 Local Business and Employment Plan
- * Section 504 Grievance Procedure
- * Resolution for Compliance Park Street Housing Rehabilitation Project
- * Certification of Signatures and Addresses * Fair Housing Certification
- * Project Rehabilitation Board

Council has approved the Housing Rehabilitation Board By-Laws and Income Plan.

I met with LENOWISCO and DHCD to review our pre-contract activities on June 13th, 2019. DHCD will be drafting a contract for this project shortly.

The Park Street Housing project will be set up on a reimbursement. This project will coincide with the DEQ Waste Water Line replacement project valued at \$1.7 million. The Town may need to obtain a Bond Anticipation Note (BAN) to provide interim financing for both projects.

• Dog Park & Gateway Park

o Trees and brush have been removed from the project area. Town Crew has installed a drainage tile to improve drainage at the Dog Park. The outer chain link fence has been installed.

- o The chain link fence has been installed at the Gateway Park. The Stack Fence for the Gateway Park will be completed in FY 2020 upon Council approval of the FY 2020 Budget.
- o The letter“ E” on the “ LOVE” sign at Gateway Park was replaced due to the damage caused by recent storms.

• **Banner Placement - Kane & Jackson Streets**

\$25,000 has been allocated through the FY 2019 budget to place new streetlight banners along Kane and Jackson Streets. If s not likely this project will be completed in FY 2019. Council has voted to transfer \$25,000 into the Capital Outlay account so the project can be completed in FY 2020.

• **Dropbox Installation at Town Hall Drive Through**

Currently the Drive Through is receiving customers who are dropping off Water Bills. Installing a Drop Box beside the Drive Through will free up our staff to perform other activities. The Drop Box will also speed up the wait times for customers who just want to drop off their water bills.

Council has approved the purchase and installation of the Drop Box on March 12th, 2019. The installation has been completed and the drop box is now in service.

• **Streetlights - Paul Wade Drive/Eva Street/Arora Street** I met with Harold Walker, AEP, and Council Member Roger Cassell on December 5, 2018 to look into installing Street Lights on Paul Wade Drive, Eva Street, and Arora Street. A total of seven Street Lights has been approved by Council to be installed at a cost of \$11,651.29.

AEP informed the Town that the property owners on Paul Wade Drive do not want to install the Street Lights on their property. Streetlights were not installed in this area as a result. Two Street Lights on Eva Street and one Street Light on Arora Street have been installed at a cost of \$4,977.90. Upon inspection it was noticed that a third streetlight should be installed on the curve section of Eva Street. The additional streetlight on Eva Street has been ordered from AEP at a cost of \$1,712.13. The Town Crew has removed the trees for the third streetlight on Eva Street. AEP will install the third streetlight shortly.

• **Sidewalks - West Jackson Street**

Currently there are no sidewalks located on West Jackson Street pass the Scott County Life Saving Crew: Council has approved to submit a HSIP application for the installation of sidewalks on West Jackson Street.

Council has approved to submit a HSIP7VDOT Grant Application by the deadline in November 2019.

• **Grogan Park/Baseball Fields Flooding Issue**

I met with Scott County Schools, Gate City Little League, and Michele Brooks, Attorney on March 12th, 2019 to discuss the flooding issue at Grogan Park Baseball Fields. Under our agreement with Gate City Little League, the Little League is responsible for the maintenance of the baseball fields. Gate City Little League states that they are not using the High School Baseball Field and should not have to provide maintenance to the field. Gate City Schools stated that they will not be playing home games at Grogan Park due to the damage caused by the recent flooding. Gate City Schools did state that they will repair the fence wall at the High School Baseball Field. I contacted Mr. Hubert Thomas with the U.S. Army Corp of Engineers for assistance in handling the flood issue at Grogan Park. He indicated that a creek survey will need to be conducted prior to determining a plan of action. A site visit was conducted on May 13th, 2019.

As a result of the site visit, the Army Corp of Engineers stated that they are expecting to receive additional budget funding due to the increase of flooding issue in our area. Mr. Thomas stated that the Army Corp of Engineers can do a stream study for Big and Little Moccasin Creeks.

Council has approved the letter of engagement for the Army Corp of Engineers to proceed with this survey.

FY 2019 Paving Projects Town Council has approved a Request for Proposal to pave Knob Court and Bowen

Drive extension. We have received the following bids:

Knob Court:

Bracken Paving \$59,220.00

W-L Construction \$42,825.00 Don's Paving \$23,262.00

The Knob Court paving project has been completed.

Bowen Drive Extension Bracken Paving \$29,150.00

W-L Construction \$22,605.00

Don's Paving \$7,400.00

Both the Knob Court and Bowen Drive Extension have been paved.

2019 Town Events

Movie Nights @ Gate City Theater

Saturday, July 13, 2019- Love Story

Love Rocks!!

Saturday, July 27, 2019

Retroville Band

Southern Accents (Tom Petty Tribute Band)

Events Committee

The Events Committee met on June 18th, 2019 to finish the planning for the “ Love Rocks” event.

The Events Committee was informed that a \$10,000 grant has been awarded to help promote the 50th year anniversary of the Virginia is for Lovers marketing campaign. The grant fund in part will go to help marketing support for the Love Rocks event scheduled for July 27th, 2019.

The Love Rocks! event will include Southern Accents (Tom Petty Tribute Band), Retroville Band, and special performance by the Jenkins School of Dance. There will be a 1969 VW Bus onsite for picture opportunities, a “ Love Sign” will be located onsite, Tie Dye station and free bandannas will be given away, face painting, \$500 winner take all costume contest, commemorative dash plates for the Cruise~In Car Show will be given away, food vendors, and promotional items will be given away.

Ms. Pam Cox, Scott County Director of Tourism, and I appeared on the “ Closer Look” talk show on WTFM on June 27th, 2019 to promote the Love Rocks! event.

The following businesses are our FY 2020 event sponsors.

Gold Sponsors: First Community Bank and Scott County Board of Supervisors,

Silver Sponsors: New Peoples Bank and Scott County Life Saving Crew.

Bronze Sponsors: Pal’s Sudden Service, Mattem & Craig, Jenkins School of Dance, Commercial Electronics, Farmers and Miners Bank, Mountain Region Family Medicine, Pizza Plus, and State Farm Insurance.

Friends of Gate City: Tucker and Becky Coleman, Dr. David Templeton, and Quillin Hardware.

Property Maintenance Issues

Since our Property Maintenance Manager has been on medical leave, I have assumed these duties. The following properties have been issued a notice of violation (NOV) letters:

Property Maintenance Report								
Address	Tax Map Number	Violation(s)	Date NOV Sent	Property Tax ID Number	Year Delinquent	RE Tax Due	Sretut	Notes
394 Midland Street	146A6 8 RB; 146A68 R 4-6; U6K 6-8 S6-8	301.2 RESPONSIBILITY 304.1 GENERAL 300.1 ACCUMULATION OF RUBBISH OR GARBAGE 302.5 ROOFT HARBORAGE 304.7 ROOFS AND DRAINAGE 18-13. REMOVAL OF WEEDS, GRASS AND OTHER FOREIGN GROWTH ON VACANT PROPERTY	5/30/2019		2018 \$ 8580 2017 \$ 9953 2016 \$ 109.95 2015 \$ 127.53 2014 \$ 138.58 2013 \$ 3556	Vacant/Oper		Multiple NOVs
391 Highland Street	146A6 9 G 31-35	3041 GENERAL 3081 ACCUMULATION OF RUBBISH OR GARBAGE 3025 ROOFT HARBORAGE 3028 MOTOR VEHICLES 18-13. REMOVAL OF WEEDS, GRASS AND OTHER FOREIGN GROWTH ON VACANT PROPERTY.			2015 \$ 14751 2017 \$ 17110 2016 \$ 189.02 2015 \$ 304.10 2014 \$ 330.42	Vacant/Oper		Work Order Issued
*2 Highland Street	H6A6 8 R 7-9; 146A6-8-S-D	301.2 RESPONSIBILITY 3041 GENERAL 3001 ACCUMULATION OF RUBBISH OR GARBAGE 3005 DISPOSAL OF RUBBISH 18-13. REMOVAL OF WEEDS, GRASS AND OTHER FOREIGN GROWTH ON VACANT PROPERTY	5/30/2019		Current		Occupied	Work Order Issued

Property Maintenance Report

Address	Tax Map Number	Violations	Date NOV Sent	Property Tax ID Number	Year		Status	Notes
					RETax Delinquent	RETax Due		
194 Chestnut	145A2 A 1d	301.2 RESPONSIBILITY 304.1 GENERAL 300.1 ACCUMULATION OF RUBBISH OR GARBAGE 302.5 RODENT HARBORAGE 304.11 CHIMNEYS AND TOWERS 18-13. REMOVAL OF WEEDS, GRASS AND OTHER FOREIGN GROWTH ON VACANT	6/19/19	13359	2015 \$ 39.05 2017 \$ 30.61 2013 \$ 36.40		Habitual	
Vacant lot Manville/Gravel Road	146A2182	301.2 RESPONSIBILITY 302.4 WEEDS 302.5 RODENT HARBORAGE 309.1 INFESTATION	6.25.19	14499	2013 \$ 49.50		Habitual	
127 Promise street	146A2A 11	304.1 GENERAL 308.1 ACCUMULATION OF RUBBISH OR GARBAGE. 302.5 RODENT HARBORAGE. 302.8 MOTOR VEHICLES ARTICLE II. ABANDONED OR INOPERATIVE MOTORVEHICLES 18-13. REMOVAL OF WEEDS, GRASS AND OTHER FOREIGN GROWTH ON VACANT PROPERTY.		13735	2016 \$ 154.80 2017 \$ 140.10 2019 \$ 130.79		Habitual	
159 Promise Street	146A2 A 8	301.2 RESPONSIBILITY. 304.1 GENERAL 308.1 ACCUMULATION OF RUBBISH OR GARBAGE. 302.5 RODENT HARBORAGE. 18-13. REMOVAL OF WEEDS, GRASS AND OTHER FOREIGN GROWTH ON VACANT PROPERTY.	6.25.19	14553	2010 \$ 132.99		Habitual	
1042 West Jackson Street	146A6 9F 26A	304.1 GENERAL 308.1 ACCUMULATION OF RUBBISH OR GARBAGE, Sec 18-6. - UNACCEPTABLE YARD WASTE	7/3/2019	14609	Current			

Town Manager Greg Jones stated that there will be new hires for public works within the next week and 162 applications have already been collected.

Council Member Wallace W. Ross, Jr. asked about the difference in pricing for the paving projects? Town Manager Greg Jones stated that it is not uncommon for prices to vary for projects like this.

Town Manager Greg Jones stated that the glass in the window that is cracked, and the conference table should be replaced within the next week.

C. **Police Report** - Chief Terry Sivert stated that the new body cameras have come in to be tested and are much better quality than the previous cameras. Council Member Wallace W. Ross, Jr. asked how long is the video from these cameras kept on file? Chief Terry Sivert stated that each officer has a 4-terabyte storage device where the videos are kept. Chief Sivert stated that even if one of these had to be purchased every year, they are only \$30 per officer and these devices could be stored in the evidence locker for a time frame that could be determined later. Council Member Ross asked how long security footage from the office is kept? Chief Terry Sivert stated that this footage is kept for only 30 days. Commonwealth Attorney Andrew Johnson stated that the Gate City Police Department could upload all of their videos to a flash drive and bring it to the Commonwealth Attorney’s office on their court date once a month and his office could upload the videos to the file they have for misdemeanors and felonies so that it is stored on the server. Town Attorney Michele Brooks stated that for Civil purposes, the videos should be maintained at the Gate City Police Department as well.

Chief Terry Sivert stated that there were some issues on the 4th of July with fireworks, but all issues have been handled professionally. Chief Sivert stated that all of the officers have been doing a great job.

D. **Council Reports** (Any new business from Committees that needs to come before the Council.

Council Member Allan “Cotton” Roberts - Council Member Allan “Cotton” Roberts stated that Mayor Frances Perry had stated that there was a snow cone business that would like to participate in the Love Rocks event. Council Member Roberts asked if the business had filled out a vendor form? Mayor Frances Perry stated that she had taken the vendor form already, but that she would e-mail the business to let them know the deadline is approaching. Council Member Roberts stated that there are several vendors already lined up to participate including hot dogs, barbeque, and Gate City Frontier to do Chick-Fil-A.

Council Member Wallace W. Ross, Jr. – Council Member Wallace W. Ross, Jr. stated that the grass near Long John Silvers is getting too high. Town Manager Greg Jones stated that it would be cut first thing tomorrow morning.

Council Member Ross asked if Town Manager Greg Jones had received the e-mail from Fire Chief, Jeff Brickey concerning the fire hydrant? Council Member Ross stated that Chief Jeff Brickey stated that the fire hydrant would not be efficient due to the fact that hoses would have to be stretched from the hydrant to the home, which would take more time. Council Member Ross stated that the fire hydrant needs to be replaced. Town Manager Greg Jones stated that his instructions from Council were to install a fire hydrant in front of the church and that is precisely what we will do. Vice-Mayor Robin Richards asked if there is a hydrant there or if people are being left without a hydrant in case of emergency? Council Member Roger Cassell stated that there is a hydrant there that will serve it. Council Member Wallace W. Ross, Jr. stated that the hydrant will not reach all the way to the church. Mayor Frances Perry stated that it has been reported to council that there is a hydrant within the required distance. Vice-Mayor Robin Richards stated that the only requirement is that the fire hydrant be placed within a certain amount of feet in front of the home. Town Attorney Michele Brooks asked if the site listed in the letter is where the Town is replacing the fire hydrant? Town Manager Greg Jones stated that he did not see the repair requests in the letter before. Town Manager Greg Jones stated that this is a different issue and he will get these repairs taken care of.

Council Member Wallace W. Ross, Jr. asked what is the progress of the refurbishment of CrossFit Ionracas? Town Manager Greg Jones stated that he gave the contract to Mr. Kilgore and he has not given it back signed.

Council Member Roger Cassell – Nothing to Report

Vice-Mayor Robin Richards – Nothing to Report

Council Member Ron Kindle – Nothing to Report

E. **Sanitation Authority**

Town Attorney Michele Brooks stated that she attended the Scott County PSA meeting on July 9th and there is positive movement on the contract negotiations between PSA and the Sanitation Authority.

XII. UNFINISHED BUSINESS

- **No Unfinished Business**

XIII. NEW BUSINESS

- **Approve Program Design for the Park Street Housing Rehabilitation Project**

Town Manager Greg Jones reviewed the Rehab Program Design packet and the inserts with the Town Council. Rebecca Crockett stated the contract with DHCD is on its way to Town Manager Greg Jones

and as soon as it gets here, he may sign it and we can get it uploaded and stored. Ms. Crockett stated that this is the final document needing approval from Council in order to move forward. Ms. Crockett stated that the contract does not have to be voted on and can be signed upon receipt. Vice-Mayor Robin Richards asked what the expected start time is for the project? Ms. Crockett stated that the next step under contract will be to have Town Manager Greg Jones to sign the admin agreement for LENOWISCO and Rehab, then advertisement for contractors will begin. Ms. Crockett stated that once pre-qualified contractors are obtained, Anna Meade will start the process by notifying residents.

Mayor Frances Perry asked what is the process for a contractor to become involved in the project? Ms. Crockett stated that an advertisement will be run in the local paper or direct solicitation will be provided, a deadline will be set, and once the deadline passes, the contractors will be asked to fill out information forms. Ms. Crockett stated that if the contractor meets all of the qualifications, they are pre-qualified. Ms. Crockett stated that contractors can continually be added after pre-qualified contractors have been chosen if the Rehab Board accepts them. Ms. Crockett stated that this is ideal because the more contractors that pre-qualify, the better the bids are.

Council Member Wallace W. Ross, Jr. asked if the advertisements for contractors will be run only once a week or every month? Ms. Crockett stated that DHCD requires that the ad is run one time in a local or regional paper. Ms. Crockett stated that typically ads are run local in order to attract local contractors. Ms. Crockett also stated that running the ad one time will be more economical for the Town since advertisements typically range in the \$200-\$300 range. Ms. Crockett stated that direct solicitation will be an attractive avenue for advertising as well.

Council Member Wallace W. Ross, Jr. asked if there is asbestos in the homes, will a special contractor need to be used? Ms. Crockett stated that asbestos testing will be done and a professional will be brought in to remove it if there is any found.

Motion made to adopt the Rehab Program Design for the Park Street Housing Rehabilitation Project CIG#18-18.

Motion by: Allan "Cotton" Roberts
2nd by: Vice-Mayor Robin Richards
VOTE: Aye: 5
Nay:
Absent:
Abstain:

Motion Carried.

- **Ms. Peggy Hurley, 2020 Census – Town Manager Greg Jones will attempt to reschedule for next Council Meeting if she wants.**
- **TACS Legal Services Agreement/Judicial Sale of Real Estate**

Town Manager Greg Jones stated that TACS could be brought in to collect and dispose of delinquent real estate properties. Town Manager Greg Jones stated that bringing in TACS would help us to share information with Scott County as well. Vice-Mayor Robin Richards asked who will oversee this project? Town Attorney Michele Brooks stated that TACS will send her information to review. Town Manager Greg Jones stated that when TACS sells a piece of property, the cost is based on a percentage rather than an hourly rate, typically 25%, and proceeds will be shared with Scott County rather than on a first come first serve basis. Council Member Roger Cassell asked how will TACS handle properties that are delinquent from prior years, such as 2012? Town Attorney Michele Brooks stated that it is a 20-year lean as of right for any delinquent taxes. Town Attorney Michele Brooks stated that TACS is more equipped to find delinquent taxes and collect rather than paying her an hourly rate to track them down. Council Member Roger Cassell asked if delinquent owners would be allowed to set up a

payment plan? Town Attorney Michele Brooks stated that these individuals would have a right of redemption period where they will have a certain period of time to redeem the property once a treasurer's notice is sent out and if one payment is missed, the payment plan is cancelled.

Motion made to approve and accept the TACS Legal Services Agreement/Judicial Sale of Real Estate Property.

Motion by: Allan "Cotton" Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain:

Motion Carried.

- **R-2 Setback: Section 30-132, Proposed Amendment changing setback from 60 feet to 50 feet**

Council Member Wallace W. Ross, Jr. asked if there is more to the section than the piece concerning changing the setback from 60 to 50 feet? Town Attorney Michele Brooks explained that this is the zoning ordinance and is the piece that is reflective of the character of that zoning district, more so than what is actually in the zoning ordinance. Council Member Ross asked if this is what they have been going by for the last forty years? Mayor Frances Perry stated that everything that was already there was grandfathered in. Mayor Perry stated that if something happens to your home and it needs to be rebuilt, it would not be able to be rebuilt if the home did not agree with the setbacks as the zoning is written now. Mayor Perry stated that what we are trying to do is lessen the setback line to give a ten-foot leeway for the setback lines. Town Attorney Michele Brooks stated that the Planning Commission is recommending that Town Council amend Section 30-132. Town Attorney Michele Brooks stated that it would be almost impossible to comply with the setback lines as they are now within that district.

Motion made to amend Section 30-132 of R-2 Setback, changing setback from 60 feet to 50 feet

Motion by: Allan "Cotton" Roberts

2nd by: Roger Cassell

VOTE: Aye:4

Nay:1

Absent:

Abstain:

Motion Carried.

- **Commonwealth Attorney Andrew L. Johnson – Proposal for Budget Amendment**
Deferred Until After Closed Session.

- **Section 16.4 Weapons; discharging firearms: Public Hearing**

Town Attorney Michele Brooks stated that this ordinance was amended December 2013 and subsequently Municode was adopted as well. Town Attorney Brooks stated that the ordinance completed by Council did not make it into the Municode and will need to be readopted.

Motion made to advertise for Public Hearing on August 13, 2019 regarding Section 16.4 Weapons; discharging firearms.

Motion by: Roger Cassell

2nd by: Allan "Cotton" Roberts

VOTE: Aye:5

Nay:

Absent:

Abstain:

Motion Carried.

XIV. PUBLIC COMMENT – NEW BUSINESS - NONE

XV. CLOSED SESSION

Motion made for Council to enter into closed session to discuss legal and personnel matters only.

Motion by: Allan “Cotton” Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

Mayor Perry opened the closed session at 8:15 P.M.

XVI. RETURN FROM CLOSED SESSION

Council returned from closed session at 9:00 P.M.

Motion made for Council to return from closed session.

Motion by: Allan “Cotton” Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

CERTIFICATION OF CLOSED MEETING – Read by:

WHEREAS, the Gate City Town Council has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-7312 of the Code of Virginia requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Gate City Town Council hereby certifies that to the best of each member’s knowledge, (1) only public business matters lawfully exempted from open meeting requirement by Virginia law were discussed in closed meeting to which this certification applies and (2) only such business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Gate City Town Council.

ROLL CALL VOTE: Council Member, Roger Cassell - AYE
Vice-Mayor, Robin Richards - AYE
Council Member, Wallace W. Ross, Jr. - AYE
Council Member, Ron Kindle - AYE
Council Member, Allan “Cotton” Roberts - AYE

XVII. MOTIONS FROM CLOSED SESSION:

Council returned from closed session at 9:00 P.M.

- **Motion made to terminate employee #9971 effective July 9, 2019.**

Motion by: Robin Richards

2nd by: Allan “Cotton” Roberts

VOTE: Aye:5

Nay:

Absent:

Abstain: **Motion Carried.**

- **Commonwealth Attorney Andrew L. Johnson – Proposal for Budget Amendment**

Motion made to adopt Commonwealth Attorney Andrew L. Johnson’s proposal for ordinance changes as proposed in the presented document.

Motion by: Robin Richards

2nd by: Ron Kindle

VOTE: Aye:2

Nay: 3

Absent:

Abstain: **Motion Failed.**

XVIII. ADJOURN

Motion made to adjourn.

Motion by: Allan “Cotton” Roberts

2nd by: Ron Kindle

VOTE: Aye: 5

Nay:

Absent:

Abstain: **Motion Carried.**

*Mayor Perry adjourned the meeting at 9:05 P.M., until the next regularly scheduled Council Meeting on August 13, 2019.

Frances Perry – Mayor

Lydia Lane - Acting Town Clerk